

EXHIBIT I

AFFIDAVIT OF DR. ENOS MARTIN



**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

RICHARD C. SMITH,
Plaintiff

vs.

PRIMECARE MEDICAL, INC.,
CARL A. HOFFMAN, JR., D.O.,
THERESA M. HOFFMAN,
JOSHUA D. LOCK,
MARCY HOFFMAN-SCHLEGEL,
FRANK KOMYKOSKI, and
KNIGHTS OF VON DUKE, LTD.,
Defendants

: **No. 1:08-cv-1397**
: **Civil Action – Law**
:
:
: **Chief Judge Kane**
:
:
: **Jury Trial Demanded**
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:
:

AFFIDAVIT OF DR. ENOS MARTIN

I, Dr. Enos Martin, do hereby swear that the following is true and correct to the best of my knowledge, information and belief:

1. PrimeCare Medical has employed me as a psychiatrist since 1997. Attached is a copy of my curriculum vitae, which I swear is an accurate representation of my education and work experience.

2. During my employment with PrimeCare Medical, I have primarily provided psychiatric services for the inmates and detainees at the Dauphin County Prison. During the time Richard Smith was the Vice President of Operations for PrimeCare, I considered him to be my supervisor.

3. In 2006 and 2007, Rick Smith told me that I should work approximately twelve (12) hours per week at the Dauphin County Prison.

4. I never participated in any negotiations regarding the Dauphin County contract and have not reviewed the contracts between PrimeCare Medical and Dauphin County Prison.

5. Richard Smith never told me that I had to spend more time at the Dauphin County Prison.

6. Periodically in 2006 and 2007, I inquired of Mr. Smith about the status of my hours and he told me not to worry about it and that I was doing a good job at the Dauphin County Prison.


7. I keep track of my time by completing time sheets that are then delivered or faxed to the corporate office of PrimeCare Medical. PrimeCare Medical pays me hourly for my services. PrimeCare Medical pays me every two (2) weeks.

8. I am on-call for PrimeCare Medical, Inc. twenty-four (24) hours, seven (7) days a week. I receive calls every day. Most of the calls can be resolved in a short period of time. However, I receive calls regarding complex matters several times a week that require a significant amount of discussion. I do not bill the on call time to PrimeCare Medical as a separate charge.

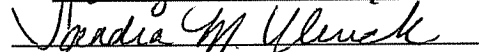
9. Rick Smith never asked me if I would provide additional hours of coverage at Dauphin County Prison.

10. I was surprised that Rick Smith made psychiatric hours at Dauphin County Prison an issue in the lawsuit he has filed against PrimeCare Medical.

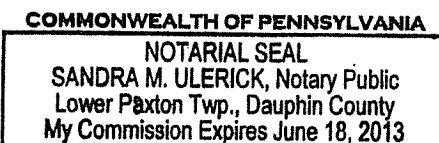
11. It is my opinion that I provided the required hours of service at Dauphin County Prison as directed by Mr. Smith.


Dr. Enos Martin

Sworn to and subscribed
before me this 28th day
of August, 2009.


Notary Public

My Commission Expires:



ENOS D. MARTIN, M.D., CCHP
PrimeCare Medical, Inc.
3940 Locust Lane
Harrisburg, PA 17109

EDUCATION:

1963 – 1965 A.A.	Hagerstown Junior College, Hagerstown, MD
1966 – 1967 B.A.	Shippensburg State College, Shippensburg, PA
1969 – 1973 M.D.	Pennsylvania State University, Milton S. Hershey Medical Center, Hershey, PA

PROFESSIONAL TRAINING AND EXPERIENCE:

2001 – Present	Professor, Department of Psychiatry, Pennsylvania State University, Milton S. Hershey Medical Center, Hershey, PA
1998 – Present	Psychiatric Consultant in Prison Psychiatry PrimeCare Medical, Inc., Harrisburg, PA
1992 – 1998	Assistant Chairman, Department of Psychiatry, Pennsylvania State University, Milton S. Hershey Medical Center, Hershey, PA
1992 – 1998	University/Managed Care Liaison, Department of Psychiatry, Pennsylvania State University, Milton S. Hershey Medical Center, Hershey, PA
1992 – 1998	University/State Hospital Liaison, Department of Psychiatry, Pennsylvania State University, Milton S. Hershey Medical Center, Hershey, PA
1991 – 1998	Medical Director, University Recovery Center, Intensive Outpatient Program for treatment of dual-diagnosis substance abusers. Pennsylvania State University, Milton S. Hershey Medical Center, Hershey, PA
1988 – 2001	Associate Professor, Department of Psychiatry, Pennsylvania State University, Milton S. Hershey Medical Center, Hershey, PA
1986 – 1993	Chairman, Subcommittee of Medical Student Admissions Committee, Pennsylvania State University School of Medicine, Milton S. Hershey Medical Center, Hershey, PA

1983 – 1990	Director, Medical Student Education in Psychiatry, Pennsylvania State University, School of Medicine, Milton S. Hershey Medical Center, Hershey, PA
1981 – 1990	Faculty Advisor, Medical Student Psychiatric Society, Pennsylvania State University, School of Medicine, Milton S. Hershey Medical Center, Hershey, PA
1980 – 1998	Director, Programs in Religion and Psychiatry, Department of Psychiatry, Pennsylvania State University, School of Medicine, Milton S. Hershey Medical Center, Hershey, PA
1978 – 1998	Director, Student Mental Health Programs, Pennsylvania State University School of Medicine, Milton S. Hershey Medical Center, Hershey, PA
1975 – 1990	Co-Director, Sexual Dysfunctions Clinic, Pennsylvania State University School of Medicine, Milton S. Hershey Medical Center, Hershey, PA
1975 – 1990	Assistant Director, Inpatient Psychiatric Unit, Pennsylvania State University School of Medicine, Milton S. Hershey Medical Center, Hershey, PA
1975 – 1988	Assistant Professor, Department of Psychiatry, Pennsylvania State University, Milton S. Hershey Medical Center, Hershey, PA
1974 – 1975	Instructor, Department of Psychiatry, Pennsylvania State University, Milton S. Hershey Medical Center, Hershey, PA
1973 – 1999	Staff Member, Sleep Research and Treatment Center, Pennsylvania State University, Milton S. Hershey Medical Center, Hershey, PA
1973 – 1998	Staff Physician, Sleep Disorders Clinic, Pennsylvania State University, Milton S. Hershey Medical Center, Hershey PA
1973 – 1975	Psychiatry Resident, Pennsylvania State University, Milton S. Hershey Medical Center, Hershey, PA

HONORS AND AWARDS

Graduated Magna Cum Laude, Hagerstown Junior College, Hagerstown, Maryland

Alumni Community Service Citation, Distinguished Speaker, Hagerstown Junior College, May 1980

Baccalaureate Speaker, Pennsylvania State University College of Medicine, Hershey, PA 1986

Distinguished Speaker in Medicine, Alumni Weekend, Eastern Mennonite College, Harrisonburg, Virginia, 1987

Honor Society, Alpha Omega Alpha, May 1, 1996

SPECIALTY BOARD CERTIFICATION

1978 – Board Certification, American Board of Psychiatry and Neurology

1996 – Candidate for Added Qualifications in Addiction Psychiatry Exam

COMMUNITY SERVICE

Medical Director, Naaman Center, an intensive outpatient drug and alcohol treatment program.

PUBLICATIONS:

Kales A., Kales, J., Bixler, EO, Martin ED. Common shortcomings in the evaluation and treatment of insomnia. In Kagan F, Harwood T, Rickels K, jRudzik A, Sorer H (eds) Hypnotics: Methods of Development and Evaluation. New York: Spectrum Press Publications, Inc., 1975.

Kales A., Kales, J., Martin ED: Rational help in insomnia. Drug Therapy, 31 – 39, 1975.

Kales JD., Martin ED, Strickler E: Treating sexual dysfunctions in women. Pennsylvania Med 80: 26-28, 1978.

Kales JD., Tan TL, Martin ED: Patients may need basic sex education even today. Pennsylvania Med 80: 48-50. 1977.

Kales JD, Martin ED, Soldatos CR: Emotional problems of physicians and their families. Pennsylvania Med 81: (12): 14-16, 1978.

Kales JD, Kales A., Soldatos CR., Caldwell AB, Charney DS, Martin ED: Night terrors: Clinical characteristics and personality patterns. Arch Gen Psych 37: 1413-1417, 1980.

Martin ED: Ministering to the depressed. Leadership 2 (2): 27-34. 1981.

Martin ED, Martin RK: Developmental and ethical issues in homosexuality: pastoral implications. Journal of Psychology and Theology 9 (1): 58-69. 1981.

Martin ED: Depression in the clergy. Leadership 3 (1): 81-89. 1982.

Martin ED: Ministering to the person with homosexual conflict. Evangelical Visitor 8:10-13, 1983.

Charles H. Helmuth D. Krabill W, Lederach N. Martin ED, Martin W. et al: Human Sexuality in the Christian Life. Scottsdale, PA: Mennonite Publishing House. 1985.

Tan TL. Kales JD, Kales A, Martin ED, Mann LD, Soldatos CR: Inpatient multidimensional management of treatment-resistant insomnia. Psychosomatics 28:166-272. 1987.

Kales JD, Martin ED, Rhoner TJ: Role of the sleep laboratory in the evaluation of impotence. In Berlin RM, Soldatos CR (eds) Psychiatric Medicine: Sleep Disorders in Psychiatric Practice. Vol 4, (2). Longwood, FL: Ryandic Publishing pp. 181-196. 1987.

Martin ED: Reflections on change in homosexual orientation. Mennonite Reporter 17 (13):7-9. 1987.

Hanford HA, Kales JD, Martin ED: Clinical interventions in emergencies: Technological accidents. In Lystad M (ed) Mental Health Care in Mass Emergencies. New York: Brunner-Mazel, Publications, Inc., pp. 181-210, 1988.

Martin ED: Bewildered by the borderline personality. Leadership X:46-48, 1989.

Martin ED, Martin RK: Psychological perspectives. In Miller R, Brubaker B (eds) Bioethics and the Beginning of Life. Scottsdale, PA: Herald Press, pp. 155-181, 1990.

Martin ED: Psychotropic and narcoleptic drugs and quality of life. In Streufert S, Gengo F (eds) Effects of Drugs on Human Functioning. New York: Karger, pp. 70-113, 1993.